



**IN THE COURT OF THE I ADDL. DISTRICT &
SESSIONS JUDGE, RAMANAGARA**

PRESENT:

**Smt. M. Panchakshari, M.Com.,LL.B,
I Addl. Dist. & Sessions Judge, Ramanagara.**

Dated this the 30th day of June, 2026

Spl.C.No.153/2023

**Complainant: The State of Karnataka,
By Bidadi P.S.**

(By Public Prosecutor)

Vs.

- Accused No.1 to 3 :**
- 1. Shivarudrappa,
S/o.Late.Kempaiah,
Aged 60 years,
Occp: Farmer,
R/at: Kodidoddipalya Village,
Bidadi Hobli,
Ramanagara Taluk,
Ramanagara, Karnataka.**
 - 2. Jayamma,
W/o.Shivarudrappa,
Aged 55 years,
Occp: Farmer,
R/at: Kodidoddipalya Village,
Bidadi Hobli,
Ramanagara Taluk,
Ramanagara, Karnataka.**
 - 3. Lakshman,
S/o.Shivarudrappa,**



Aged 35 years,
Occp: Farmer,
R/at: Kodidoddipalya Village,
Bidadi Hobli,
Ramanagara Taluk,
Ramanagara, Karnataka.

(By Sri. S.G.S., Advocate.)



1	Date of commission of offence	23.07.2023
2	Date of report of offence	24.07.2023
3	Date of arrest of the accused	11.09.2023
4	Date of commencement of evidence	04.07.2024
5	Date of closing of evidence	25.07.2025
6	Name of the Complainant	Sri.Dharshan S/o.Cheluvaraju.
7	Offences complained of	U/Secs.341, 323, 324, 504 & 506 R/w.Sec.34 of IPC-1860 & U/Secs.3(1)(r)(s) & 3(2)(5a) of SC/ST (PA) Amendment Act-2015.
8	Date of Pronouncement of Judgment	30.06.2026
9	Opinion of the Judge	Accused found not guilty.
10	Order of Sentence	As per final order
11	Complainant represented by	P.P., Ramanagara
12	Accused defense by	Sri. S.G.S., Advocate.

J U D G M E N T

The Deputy Superintendent of Police of Ramanagara Sub-Division Police Station, Ramanagara had filed the charge-sheet against the accused persons for the offences punishable U/Secs.341, 323, 324, 504 &



506 R/w.Sec.34 of IPC-1860 & U/Secs.3(1)(r)(s) & 3(2) (5a) of SC/ST (PA) Amendment Act-2015.

2. The brief facts of the prosecution case is that, on 23.07.2023 at about 07.30 p.m., at Kodidoddi Village in the road proceeding towards Banagiri in front of the shop of CW5 at Kodipalya when CW1 was proceeding in his Bullet Vehicle from Kodidoddi towards Kodidodipalya, the accused No.1 to 3 unnecessarily quarreled with CW1 by abusing in filthy language by taking the name of the caste wrongfully restrained CW1 and pushed CW1 and made him to fall along with the vehicle. The accused No.2 by instigating the accused No.1 and 3 picked cement interlock block and gave it to accused No.3 so as to assault CW1. Accused No.1 and 2 assaulted CW1 with their hands and kicked with their legs and caused hurt and accused No.3 had assaulted CW1 with the cement interlock piece below his right eye and caused simple injury. The accused No.1 to 3 who belongs to Vokkaliga Caste which is not a Scheduled Caste had intentionally humiliated CW1 by giving a life



threat who belong to Schedule Caste, Adi Karnataka and committed atrocity against CW1. On above allegation the prosecution had filed the charge-sheet against the accused persons.

3. Cognizance was taken and the presence of the accused persons were secured and they were enlarged on bail. The copies of the police papers were furnished to the accused as contemplated under Section 207 of Cr.P.C. Charge was framed against the accused persons and the same was read over and explained to them, whereby they pleaded not guilty and claimed to be tried.

4. To bring home the guilt of the accused, the prosecution had opted to examine in all 11 witnesses as PW-1 to PW-11 and got marked 16 documents as Exs.P1 to P16 and material object is marked as MO1. So also the statement of the accused under Section 313 of Cr.P.C., was recorded with regard to incriminating evidence found against them which is denied by the accused persons.



5. On the above said contentions the following points arise for my consideration:

(i) Whether the prosecution proves that, on 23.07.2023 at about 07.30 p.m., when CW1 was proceeding in his Bullet two wheeler vehicle in front of the shop of CW1 from Kodidoddi Village towards Kodipalya Village, the accused No.1 to 3 in furtherance of their common intention raised scramble with CW1 and unlawfully restrained him from proceeding further and thereby committed an offence punishable under **Section 341 R/w. Section 34 of IPC?**

(ii) Whether the prosecution further proves that, on the above said date, time and place the accused No.1 to 3 in furtherance of their common intention having raised scramble with CW1, whereby accused No.1 and 2 assaulted CW1 with their hands and kicked with their legs and voluntarily caused hurt and thereby committed an offence punishable under **Section 323 R/w. Section 34 of IPC?**

(iii) Whether the prosecution proves that, on the above said date, time and place, accused No.3 assaulted CW1 with cement



interlock piece below the right eye in furtherance of the common intention of accused No.1 and 2 and thereby voluntarily caused hurt and committed an offence punishable under **Section 324 R/w.Section 34 of IPC?**

(iv) Whether the prosecution further proves that, on the above said date, time and place, the accused No.1 to 3 having quarreled with CW1 abused in filthy language intentionally with an intent to provoke him to break the public peace and thereby committed an offence punishable under **Section 504 R/w.Section 34 of IPC?**

(v) Whether the prosecution further proves that, on the above said date, time and place, the accused No.1 to 3 in furtherance of their common intention criminally intimidated CW1 by giving life threat and thereby committed an offence punishable under **Section 506 R/w.Section 34 of IPC?**

(vi) Whether the prosecution proves that, on the above said date, time and place, the accused No.1 to 3 having quarreled with CW1 knowing fully well that he belong to Hindu Adi



Karnataka Schedule Caste and criminally intimidated with life threat by abusing in filthy language by taking the name of the caste within the public view and thereby committed an offence punishable under **Section 3(1)(r) & (s) of SC/ST (Prevention of Atrocities) Amendment Act-2015?**

(vii) Whether the prosecution further proves beyond reasonable doubt that, on the above said date, time and place, the accused No.1 to 3 who belongs to Vokkaliga Caste had committed an offence punishable under the Indian Penal Code against the CW1 who belong to Adi-Karnataka Schedule Caste and thereby committed an offence punishable under **Section 3(2)(5a) of SC/ST (Prevention of Atrocities) Amendment Act-2015?**

(viii) What order?

6. Having heard the Public Prosecutor and Sri.S.G.S., Advocate counsel appointed to represent the accused persons, I answer the above points as follows;

Point No.1 : In the **Negative**.



- Point No.2 : In the **Negative**.
Point No.3 : In the **Negative**.
Point No.4 : In the **Negative**.
Point No.5 : In the **Negative**.
Point No.6 : In the **Negative**.
Point No.7 : In the **Negative**.
Point No.8 : As per the final order
for the following;

REASONS

7. **Point No.1 to 7:-** Since all this points are interconnected, to avoid repetition of the facts they are taken up together for discussion.

The case of the prosecution is that, on 23.07.2023 at about 07.30 p.m., at Kodidoddi Village in the road proceeding towards Banagiri in front of the shop of CW5 at Kodipalya when CW1 was proceeding in his Bullet Vehicle from Kodidoddi towards Kodidodipalya, the accused No.1 to 3 unnecessarily quarreled with CW1 by abusing in filthy language by taking the name of the caste wrongfully restrained CW1 and pushed CW1 and made him to fall along with the vehicle. The accused No.2 by instigating the accused No.1 and 3 picked



cement interlock block and gave it to accused No.3 so as to assault CW1. Accused No.1 and 2 assaulted CW1 with their hands and kicked with their legs and caused hurt and accused No.3 had assaulted CW1 with the cement interlock piece below his right eye and caused simple injury. The accused No.1 to 3 who belongs to Vokkaliga Caste which is not a Scheduled Caste had intentionally humiliated CW1 by giving a life threat who belong to Schedule Caste, Adi Karnataka and committed atrocity against CW1 and thereby committed the offences as alleged in the charge-sheet.

8. The prosecution in order to prove its case had examined the complainant as PW10, the eye witness is examined as PW1 to PW5 and the spot mahazar witnesses are examined as PW6 and PW11, the doctor who had issued the wound certificate is examined as PW7, the police official who had issued the certificate under Section 65B is examined as PW8 and the Investigating Officer is examined as PW9.



If the evidence of complainant is taken into consideration, whereby he has stated that he belong to Adi Karnataka Schedule Caste and the accused belong to Vokkaliga Caste and they are aware of his caste. On 23.07.2023 at 07.00 p.m., when he was proceeding towards Kodipalya in his bullet bike in front of the house of CW4, accused No.1 and 3 all of a sudden restrained his bike and removed the key of the bike and by pushing him from the bike abused in filthy language by taking the name of the caste and as follows;

"ನೀನು ಎಷ್ಟು ಕೋಟಿಗಿದ್ದೀಯಾ, ಹೊಲೆಯನಾಗಿ ನೀನೇ ಇಷ್ಟಿರಬೇಕಾದರೆ ನಾನು ಒಕ್ಕಲಿಗನಾಗಿ ನಾನು ಇದೇ ತರಹ ಇದ್ದೀನಿ ".

By saying so the accused Lakshman and Shivarudrappa had kicked him and Jayamma brought a cement stone and abetted accused No.1 and 3 by saying do not let him go. It is also his evidence, all the three accused had kicked him on his chest and abdomen. Accused Lakshman i.e., accused No.3 had assaulted with cement stone below his right eye so, he sustained injury and he was taken to Bharath Kempanna Hospital.



On the next day he had lodged the complaint as per Ex.P15. Thereafter on 25.07.2023 police had visited the spot at 10 a.m., and the mahazar is drawn in the presence of Nandeesh and Darshan. He had also produced the cement stone which is used for the commission of the offence. The mahazar having drawn as Ex.P7, the signature of the complainant is marked as Ex.P7(c). The cement stone piece having identified by PW10, it is marked as M.O.1. Ex's.P8 to P11 are the photographs which were taken at the spot while drawing the mahazar.

9. If the cross-examination of PW10 is taken into consideration, whereby at the time of lodging the complaint, he had mentioned the name of Gowramma W/o.Jayalingappa and Shashikumar S/o.Jayalingappa. This fact is admitted by PW10. He also admits that, the Gowramma had lodged a complaint against him and the case in connection to the said complaint is still pending consideration. He also admits that, Gowramma and her



son Shashikumar and accused persons are residing in the same place. From the suggestions put forward in the cross-examination it makes out that when PW10 complainant had assaulted Gowramma and her son Shashikumar, the accused persons came to pacify and also told PW10 that it is not right on its part to do such act. So, on account of that vengeance now the complainant had lodged a false complaint. He denies the allegation of lodging a false complaint, but he admits that accused persons had supported Gowramma and Shashikumar and he has vengeance against them. Rest of the cross-examination is with regard to the denial of the evidence of PW10 as deposed in his chief examination wherein it is suggested that, accused persons had not abused the complainant in filthy language by taking the name of the caste and also they have not given any life threat and not assaulted PW10, but this suggestion is denied by PW10. Apart from that, the admission of PW10 also makes out that, accused No.2 had lodged the complaint against PW10



complainant in connection to which case is registered in Crime No.255/2023. It is also suggested in the cross-examination that, injury sustained by PW10 due to fall from the motorcycle had been misused so as to lodge a false complaint on account of vengeance and by taking support of his friend CW2 and CW3 a false case is manipulated, but this suggestion is denied by PW10. The admission of PW10 with regard to signing the mahazar in the police station also falsifies his version in the chief examination with regard to police visiting the spot and drawing the mahazar in the presence of panchas at the spot. PW10 had admitted the suggestion in the cross-examination that, he had signed the mahazar in the police station.

10. The friend of the complainant i.e., CW2 is examined as PW6, who is Spot Mahazar witness had deposed with regard to drawing the mahazar as per Ex.P7 and seizure of cement block piece. On the other hand, CW3 who is also a Spot Mahazar witness is



examined as PW11. He had also deposed with regard to signing the mahazar Ex.P7, but according to PW11, he do not know who had identified the spot. In the cross-examination PW11 had stated that he had not been issued any notice by the police calling upon him to be present at the time of drawing the mahazar. It is his evidence in the cross-examination that he do not know what incident had taken place at the spot and even he do not know what is written in the mahazar. If the cross-examination of PW6 is taken into consideration, whereby he admits that CW1 is his friend. He also admits that since from his school days they both used to go to school together so, they have good understanding and used to help each other. From the admission of PW6 it clearly makes out that he is a planted witness, whereby he and CW1 are from different village and he also admits that as CW1 had called him to help he had come and signed the mahazar.



11. As per the prosecution case CW4 to CW8 are the eyewitnesses and they having examined as PW1 to PW5, all the witnesses had turned hostile and not supported the prosecution case. According to their evidence, they have not seen any incident and they are not aware of it and they have not given any statement to the police. Their respective statements are marked as Ex.P1 to Ex. P6. The doctor who had treated the injured is examined as PW7 and as per the evidence of the doctor, CW1 had sustained cut lacerated wound over the right side of the face and abrasion over the right forefinger. As the incident is totally denied by the accused, suggestion is put forward in the cross-examination, the injury mentioned in Ex.P12 wound certificate can likely be caused due to fall from moving two wheeler. Even this defence is put forward in the cross-examination of the complainant PW10.

12. The Investigating Officer having examined as PW9, as per his evidence he had visited the spot and



drawn the mahazar in the presence of CW3 and CW4 as per Ex.P7, thereafter recorded the further statement of the complainant and also the statement of the witnesses and by collecting necessary documents. As the accused persons had been granted anticipatory bail, as there is no material found against accused No.4 and 5 of the FIR, on completion of the investigation by dropping accused No.4 and 5 charge sheet is filed against accused No.1 to 3. CW13 who had registered the case having died. The complaint is marked through the Investigating Officer as Ex.P15 and based on the complaint FIR is registered as per Ex.P16. In the cross-examination, suggestions are put forward so as to deny the fact of investigation by visiting the spot and drawing the mahazar in the presence of panchas and also recording of the statement of the witnesses. PW9 had stated in his cross-examination that he is aware of the complaint having registered against CW1 in Bidadi Police Station in Crime No.217/2021. He also admits that, in the said complaint husband of Gowramma i.e.,



Jayalingappa had alleged that atrocity is committed against him and the charge sheet having filed in connection to the said complaint, the case is still pending for adjudication. Though in the complaint allegation is made against Gowramma and her husband who are accused No.4 and 5 in the FIR, based on further statement of CW1, they have been dropped as he had given the statement that they have not committed any offence against him. So, suggestion is put forward in the cross-examination of PW9 that, though CW1 had lodged a false complaint on account of vengeance against the accused persons, without proper investigation a false case is registered and a false charge sheet is filed based on created documents, but this suggestion is denied by PW9.

13. If the evidence of all the prosecution witnesses are taken into consideration, whereby here the evidence is only that of the complainant and two mahazar witnesses who are closely associated with the



complainant PW10. All independent eye-witnesses had turned hostile and none had supported the prosecution case. Though, the evidence of the doctor makes out the injury suffered by the complainant, the admission of the suggestion also makes out with regard to the defence of the accused that, such injury can be caused due to fall from a moving motorcycle. Even the same suggestion is put forward to the complainant that by misusing the injury suffered by him due to fall from the motorcycle out of vengeance a false complaint is lodged. From the evidence of PW10 it clearly makes out that, he has vengeance against accused No.1 to 3 as they have supported Gowramma and her husband. This fact having clearly admitted in the cross-examination of PW10 the complainant. The intention of the complainant is very much clear that so as to cause harassment to the accused persons with a created story complaint is lodged. As all the eye-witnesses had turned hostile, there is nothing to make out an incident had taken place within the public view by the accused persons with an



intention to insult the complainant so as to humiliate him merely for the reason that he belong to Schedule Caste and also criminally intimidated by giving the life threat and caused simple injury. The evidence of the investigating officer is in no way helpful to the complainant to prove the case beyond reasonable doubt, as all the eye-witnesses had not supported the prosecution case and there is nothing to make out the alleged incident had taken place. It is submitted in the arguments addressed on behalf of the accused that, only out of vengeance a false complaint is filed as accused should not give evidence in the case filed by them. It is also submitted that CW1 has given exaggerated statement in his evidence, though there is no any prima-facie case made out in spite of it the investigating officer had still filed the charge-sheet though there is no materials against the accused persons. Consideraing the evidence of the prosecution witnesses, as there arise doubt in the prosecution case, the benefit of doubt has to be extended in favour of the accused. So in the



circumstance, by extending the benefit of doubt in favour of the accused, I hold the above points in **Negative**.

14. **Point No.8**: In view of the discussions made supra, this court proceeds to pass the following;

ORDER

Acting under section 235(1) of Cr.P.C., the accused No.1 to 3 is acquitted for the offences punishable under Sections 341, 323, 324, 504 & 506 R/w.Sec.34 of IPC, 1860 & U/Secs.3(1)(r)(s) & 3(2)(5a) of SC/ST (Prevention of Atrocities) Amendment Act-2015.

The M.O.1 being worthless, is hereby ordered to be destroyed after the appeal period.

In view of accused No.1 to 3 having complied U/Sec.437A of Cr.P.C., as per order dated:10.10.2025 and surety having accepted, accused is set at liberty.

(Dictated through Adalath AI, thereafter transcribed by Steno Grade-III and after corrections, printout taken and signed by me and then pronounced in the open Court, on this the **30th day of June, 2026**)

(M. Panchakshari)
I Addl. Dist. & Sessions Judge,
Ramanagara.

**ANNEXURE****LIST OF WITNESSES ON BEHALF OF THE PROSECUTION:-**

P.W.1	:	Sri.Kiran N., S/o.Nagaraju.
P.W.2	:	Smt.Tejaswini, W/o.Kiran.
P.W.3	:	Sri.Kiran, S/o.Shivanna.
P.W.4	:	Sri.Krishnappa, S/o.Channappa.
P.W.5	:	Sri.Ramanjaneya, S/o.Narasimhaiah.
P.W.6	:	Sri.Dharshan, S/o.Hanumaraju.
P.W.7	:	Sri.Dr.Bharath K., S/o.Kempanna.
P.W.8	:	Sri.Boregowda H.R., S/o.Late.Ramaiah.
P.W.9	:	Sri.Dinakarashetty, S/o.Beramushetty.
P.W.10	:	Sri.Dharshan, S/o.Cheluvaraju.
P.W.11	:	Sri.Nandeesh, S/o.Ningaiah.

LIST OF WITNESSES EXAMINED ON BEHALF OF THE DEFENCE SIDE

-NIL-

LIST OF EXHIBITS GOT MARKED ON BEHALF OF THE PROSECUTION:-

Ex's.P.1 to 5	:	Statements of PW's-1 to 5.
Ex.P.6	:	Caste Certificate.
Ex.P.7	:	Spot Mahazar.
Ex.P.7(a)	:	Signature of PW-6.
Ex.P.7(b)	:	Signature of PW-9.
Ex.P.7(c)	:	Signature of PW-10.
Ex.P.7(d)	:	Signature of PW-11.
Ex's.P.8 to 11	:	4 Photographs.
Ex.P.12	:	Wound Certificate.
Ex.P.12(a)	:	Signature of PW-7.



Ex.P.12(b) : Signature of PW-9.
Ex.P.13 : CD.
Ex.P.14 : Certificate U/Sec.65B of Indian
Evidence Act.
Ex.P.14(a) : Signature of PW-8.
Ex.P.14(b) : Signature of PW-9.
Ex.P.15 : Complaint.
Ex.P.15(a) : Signature of PW-9.
Ex.P.15(b) : Signature of PW-10.
Ex.P.16 : FIR.
Ex.P.16(a) : Signature of PW-9.

**LIST OF DOCUMENTS GOT EXHIBITED ON BEHALF OF
THE DEFENCE SIDE:-**

-NIL-

**LIST OF MATERIAL OBJECTS GOT MARKED ON BEHALF
OF THE PROSECUTION:**

M.O.1 : Cement interlock block piece.

(M. Panchakshari)
I Addl. Dist. & Sessions Judge,
Spl. Judge, Ramanagara.